



General Assembly

Amendment

February Session, 2024

LCO No. 4775



Offered by:

REP. BOYD, 50th Dist.

REP. DIGIOVANCARLO, 74th Dist.

To: Subst. House Bill No. 5399

File No. 287

Cal. No. 204

"AN ACT CONCERNING THE CRIMINAL JUSTICE RESPONSE TO VICTIMS OF SEXUAL ASSAULT."

1 Strike sections 1 and 2 in their entirety and substitute the following
2 in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2024*) (a) There is established a
4 Sexual Assault Criminal Justice Response, Enhancement and Model
5 Policy Advisory Council for the purpose of evaluating the current
6 criminal justice response to incidents of sexual assault involving adult
7 victims and establishing a model policy for the criminal justice response
8 to such sexual assaults. In developing such model policy, the council
9 shall conduct such examinations as the council deems appropriate,
10 including, but not limited to, evaluating the:

11 (1) Policies and procedures used by law enforcement agencies when
12 responding to such incidents of sexual assault;

13 (2) Accuracy of data collected by the Department of Emergency

14 Services and Public Protection and the Court Support Services Division
15 of the Judicial Branch, and collecting and analyzing any additional data
16 related to such sexual assaults and the criminal justice response
17 available from Judicial Branch court operations, state's attorneys, public
18 defenders, sexual assault victim advocates or operators of programs for
19 sexual assault offenders;

20 (3) Risk assessments used throughout such sexual assault cases from
21 arrest through adjudication;

22 (4) Arrest, prosecution, penalties and monitoring for violations of
23 civil protection orders issued pursuant to section 46b-16a of the general
24 statutes or criminal protective orders issued pursuant to section 54-1k
25 or 54-82r of the general statutes that relate to such sexual assaults;

26 (5) Programming offered to individuals who have been convicted of
27 a sexual assault crime and are currently incarcerated with the
28 Department of Correction; and

29 (6) Training and education for criminal justice stakeholders.

30 (b) The council shall consist of the following members:

31 (1) One appointed by the speaker of the House of Representatives;

32 (2) One appointed by the president pro tempore of the Senate;

33 (3) One appointed by the majority leader of the House of
34 Representatives, who shall be a municipal police officer with experience
35 providing training related to sexual assaults;

36 (4) One appointed by the majority leader of the Senate, who shall be
37 a representative of a community-based organization that provides
38 group counseling or treatment to persons who have committed acts of
39 sexual assault;

40 (5) One appointed by the minority leader of the House of
41 Representatives;

- 42 (6) One appointed by the minority leader of the Senate;
- 43 (7) One appointed by the Governor;
- 44 (8) The chairperson of the Police Officer Standards and Training
45 Council, or the chairperson's designee;
- 46 (9) The Chief State's Attorney, or the Chief State's Attorney's
47 designee;
- 48 (10) The Chief Public Defender, or the Chief Public Defender's
49 designee;
- 50 (11) The Victim Advocate, or the Victim Advocate's designee;
- 51 (12) Two appointed by the Commissioner of Emergency Services and
52 Public Protection, one of whom shall be a representative of the Division
53 of State Police with experience providing training related to sexual
54 assault, and one of whom shall be a commanding officer within the
55 Division of State Police;
- 56 (13) Four appointed by the Chief Court Administrator, one of whom
57 shall be a judge of the Superior Court assigned to hear criminal matters,
58 one of whom shall be a family relations counselor or supervisor within
59 the Court Support Services Division of the Judicial Branch, one of whom
60 shall be an administrator within the Court Support Services Division of
61 the Judicial Branch and one of whom shall be an administrator of the
62 Office of Victim Services within the Judicial Branch;
- 63 (14) Four appointed by the chief executive officer of the Connecticut
64 Alliance to End Sexual Violence, one of whom shall be a victim of sexual
65 assault, one of whom shall be a victim advocate with courtroom
66 experience in sexual assault matters, one of whom shall be an executive
67 director of a community-based organization that provides direct
68 services to persons impacted by sexual assault and one of whom shall
69 be a representative of the Connecticut Alliance to End Sexual Violence;
- 70 (15) One representative from an association of police chiefs in

- 71 Connecticut, appointed by the president of such association;
- 72 (16) The Secretary of the Office of Policy and Management, or the
73 secretary's designee;
- 74 (17) The chairperson of the Board of Pardons and Paroles, or the
75 chairperson's designee;
- 76 (18) The Commissioner of Emergency Services and Public Protection,
77 or the commissioner's designee; and
- 78 (19) The Commissioner of Correction, or the commissioner's
79 designee.
- 80 (c) Any member of the council appointed under subdivision (1), (2),
81 (5) or (6) of subsection (b) of this section may be a member of the General
82 Assembly.
- 83 (d) All members of said council shall be appointed on or before
84 October 1, 2024, and quadrennially thereafter, to serve for a term of four
85 years. Any member may be reappointed, and any member may continue
86 to serve until such member's successor is appointed and qualified. Any
87 vacancy shall be filled by the appointing authority.
- 88 (e) The members of the council shall select two chairpersons of the
89 council from among the members of the council. Said chairpersons shall
90 be responsible for scheduling the meetings of the council.
- 91 (f) The council shall be within the Legislative Department. The
92 administrative staff of the joint standing committee of the General
93 Assembly having cognizance of matters relating to public safety and
94 security shall serve as administrative staff of the council.
- 95 (g) The council shall develop the initial model policy described in
96 subsection (a) of this section and submit such policy to the Police Officer
97 Standards and Training Council not later than July 1, 2025, and shall
98 review and, if deemed necessary, update such policy and submit any
99 such update to the Police Officer Standards and Training Council

100 annually thereafter.

101 (h) Not later than August 1, 2025, and annually thereafter, the Police
102 Officer Standards and Training Council shall (1) review the model
103 policy and any updates submitted to the council pursuant to subsection
104 (g) of this section, (2) approve such model policy and updates, with or
105 without modifications, and (3) distribute to each law enforcement unit,
106 as defined in section 7-294a of the general statutes, the model policy
107 with any updates and modifications.

108 (i) Not later than September 1, 2025, and annually thereafter, each law
109 enforcement unit shall adopt and maintain a written policy that meets
110 or exceeds the standards of the version of the model policy most recently
111 distributed pursuant to subsection (h) of this section.

112 (j) Not later than September 1, 2025, and annually thereafter, the
113 Police Officer Standards and Training Council shall submit a report, in
114 accordance with section 11-4a of the general statutes, to the joint
115 standing committees of the General Assembly having cognizance of
116 matters relating to the judiciary and public safety and security. The
117 report shall include any recommendations for statutory or policy
118 changes within the purview of the council, including any updates or
119 modifications to the model policy for the criminal justice response to
120 sexual assault for the state and any recommendations related to
121 programs for sexual assault offenders.

122 Sec. 2. (NEW) (*Effective October 1, 2024*) It shall be the responsibility
123 of the police officer, as defined in section 7-294a of the general statutes,
124 at the scene of an incident of sexual assault involving an adult victim to
125 provide immediate assistance to such victim. Such assistance shall
126 include, but need not be limited to:

127 (1) Assisting the victim to obtain medical treatment if such treatment
128 is required;

129 (2) Informing the victim of services available, including providing the
130 victim with (A) contact information for a regional sexual assault

131 organization that employs, or provides referrals to, counselors who are
132 trained in providing trauma-informed care, and (B) a copy of the
133 information concerning services and resources available to victims of
134 sexual assault published pursuant to section 10-10g of the general
135 statutes, as amended by this act;

136 (3) If there is a child at the scene, and such child's parent or guardian
137 is also present, providing such parent or guardian with a copy of the
138 documents concerning behavioral and mental health evaluation and
139 treatment resources available to children developed pursuant to section
140 17a-22r of the general statutes for the mental health region in which such
141 victim is located; and

142 (4) Referring the victim to the Office of Victim Services within the
143 Judicial Branch."